

City of Hampton, VA

22 Lincoln Street
Hampton, VA 23669
www.hampton.gov



Council Agenda

Wednesday, May 13, 2015

6:30 PM

Council Chambers, 8th Floor, City Hall

City Council

***Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Teresa V.
Schmidt, Chris Snead, Donnie R. Tuck,
George E. Wallace, Mayor***

Staff:

Mary Bunting, City Manager

Vanessa T. Valdejuli, City Attorney

Katherine K. Glass, CMC, Clerk of Council

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WELCOME TO THE HAMPTON CITY COUNCIL MEETING

Because of the large number of matters that need consideration, the City Council has established a meeting format and certain guidelines for citizen participation. These help ensure that everyone who wishes to speak can do so, and that the Council can benefit from hearing as many different people as possible in the shortest time. From time to time, It may be in the public's interest to change the format and guidelines, and the Council can do so at its discretion without prior notice.

THE ORDER OF BUSINESS

The Council generally conducts meetings in the following order:

- (1) Call to Order
- (2) Ceremonial Matters
- (3) Consent Agenda
- (4) Regular Business Agenda
- (5) Miscellaneous New Business
- (6) Adjournment

Agenda items are taken up one at a time in the order in which they are listed. Matters on the consent agenda are routine and are adopted by one motion without separate discussion. However, items can be moved from the consent agenda to the regular agenda upon request by a citizen or a member of the Council. Keep in mind that the agenda is for the convenience of the public and the Council, and that it can be altered by the Council at any time without prior notice when the Council considers it in the public's interest to do so.

CITIZENS ARE INVITED TO PARTICIPATE

The City Council has adopted a three (3) minute time limit policy for individuals desiring to address issues before this body. If you wish to address the City Council, please sign in before the meeting on the sign-up sheet located in the rear of Council Chambers. Please include your name and the subject on which you wish to speak, including the docket number if it is an item on the agenda. If you wish to address Council on a non-agenda item, the permission of Council is necessary.

If you are with a group of people, you may want to have a spokesman or two present your position to the Council and have others in agreement recognized by standing. The Council will always try to hear everyone who wishes to speak on a subject, but sometimes discussion has to be limited due to time. If the previous speaker has stated your position, you may make that known by reference (for example, "I agree with the position stated by Mr. Jones and have nothing further to add"). Repetition of positions by more than one speaker often uses more time than necessary.

Speakers are generally limited to one appearance, although Council can allow exceptions at its discretion. If possible, you should speak from prepared remarks to the subject under discussion. Irrelevant comments use others' time and your own and detract from your statements on the matter being considered.

Meetings of the Council are formal proceedings, and all comments are recorded on tape and by stenographer. For that reason, you are requested not to speak from your seat or out of turn. When you are called by the presiding officer, please follow these steps:

- (1) Come forward to the speaker's podium.
- (2) State your name and address
- (3) State your conclusion and give facts and other data to back it up.
- (4) If you represent a group or organization, ask the others to rise and be recognized.
- (5) If you have a written statement, give it and other supportive material to the Clerk for the record.

The above guidelines are intended to encourage the greatest possible participation by citizens at Council meetings. They can be modified at any time by the Council at its discretion and without prior notice.

Thank you for taking your time to participate in the Council meeting. Good government depends on the interest and involvement of you and your fellow citizens. We invite you to return.

CALL TO ORDER/ROLL CALL

INVOCATION - Councilman Donnie R. Tuck

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

CONSENT AGENDA

Consent Items

1. **15-0155** Approval of the minutes from the special, afternoon and evening sessions of March 25, 2015, the afternoon and evening session of April 8, 2015; and the spotlight and evening session of April 22, 2015.
2. **15-0162** Request for Refunds for Tax Year 2014
3. **15-0170** Resolution Approving Fiscal Year 2015 Third Quarter Budget Adjustments
4. **15-0163** Resolution to Accept and Appropriate the 2015 Four for Life Aid-to-Localities Funds in the amount of \$110,691.36 from the Commonwealth of Virginia—Office of Emergency Medical Services to the City of Hampton Division of Fire & Rescue.
5. **15-0164** Resolution to Approve transferring funds from Fire & Rescue's fiscal year budget to the Capital Improvement Project for purchasing SCBA.
6. **15-0171** Resolution Approving the City of Hampton, Virginia's Participation and Appropriation of Funds for the 2015 Tobacco Use Prevention for Children Received from the Virginia Foundation of Healthy Youth
7. **15-0167** Resolution Approving the City of Hampton, Virginia's Participation and Appropriation of the 2015 Historical Data Cleanup-Stormwater Management Facility Data Update Grant Through the Commonwealth of Virginia's Department of Environmental Quality
8. **15-0168** Resolution Accepting and Appropriating Funds for the FY2016 Comprehensive Services Act Pools Funds

9. **15-0165** Resolution to Accept and Appropriate \$1,000 check from Walmart to be used in support for Camp Fury.
10. **15-0169** Resolution to Accept and Approve \$1,000 Donation Check from First Baptist Church of Hampton to be Used in Support for Camp Hope.

PRESENTATIONS, PROCLAMATIONS, AWARDS

PUBLIC HEARINGS

Rezoning

11. **15-0160** Zoning Ordinance Amendment No. 160-2015: to amend and re-enact Article 3 of Chapter 10 of the Zoning Ordinance of Hampton, Virginia entitled "Special Regulations in Certain Zoning Districts" by amending section 10-11 pertaining to signage in the LFA-3 and HRC-1 districts.

Use Permit

12. **15-0158** Use Permit Application No. 15-00002: by Avenue Blue Piano Bar, LLC for live entertainment 2 at 2330 McMenamin Street [LRSN 13002022].
13. **15-0159** Use Permit Application No. 15-00004: by St. George's Brewery and Jotom Investors, LLC. for live entertainment 2 at 204 Challenger Way [LRSN 6001158].

Other Public Hearings

14. **15-0172** 2016-2020 Consolidated Plan and FY16 Annual Action Plan

GENERAL ITEMS

BUDGET ORDINANCES - SECOND READING - (FIRST READING APRIL 29, 2015)

15. **15-0137** An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the City of Hampton, Virginia for the Fiscal Year Beginning July 1, 2015 and ending June 30, 2016.

16. **15-0138** An Ordinance to Adopt a Budget and Appropriate Monies for the Capital Budget for the City of Hampton, Virginia for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016
17. **15-0139** An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the Solid Waste Management Fund for the Fiscal Year Beginning July 1, 2015 and ending June 30, 2016.
18. **15-0140** An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the Stormwater Management Fund for the Fiscal Year Beginning July 1, 2015 and ending June 30, 2016.
19. **15-0141** An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the Wastewater Management Fund for the Fiscal Year Beginning July 1, 2015 and ending June 30, 2016.
20. **15-0142** An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the Steam Plant for the Fiscal Year Beginning July 1, 2015 and Ending June 30, 2016.
21. **15-0143** An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the Fleet Services Fund for the Fiscal Year Beginning July 1, 2015 and ending June 30, 2016
22. **15-0144** An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the Risk Management Fund for the Fiscal Year Beginning July 1, 2015 and ending June 30, 2016.
23. **15-0145** An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the Hampton Coliseum-Hampton Arts Commission Fund for the Fiscal Year Beginning July 1, 2015 and ending June 30, 2016
24. **15-0146** An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the Hampton Roads Convention Center for the Fiscal Year Beginning July 1, 2015 and ending June 30, 2016.
25. **15-0147** An Ordinance to Set the Tax Rate on Real Properties in the City of Hampton, Virginia for Fiscal Year Beginning July 1,2015 and Ending June 30, 2016

- 26. 15-0126** Ordinance to Amend and Re-enact Chapter 37 "Taxation", of the Code of the City of Hampton, by Amending Article X, Section 37-302, Entitled "Levied; Amount" to Increase the Cigarette Tax From 40 to 42.5 Mills per Cigarette Pursuant to Virginia Code Section 58.1-3840.
- 27. 15-0157** An Ordinance to set the Tax Rate on Vehicles Without Motive Power (Manufactured Homes); Motor Vehicles Specially Equipped to Provide Transportation for Physically Handicapped Individuals; Machinery and Tools; Machinery and Tools Used Directly in the Manufacture of Precision Investment Castings; Privately Owned Pleasure Boats and Watercraft, 18 Feet and Over, Used for Recreational Purposes Only, Privately Owned Pleasure Boats and Watercraft, Motorized and Nonmotorized and Under 18 Feet, Used for Recreational Purposes Only, (formerly taxed under the categories: Boats or Watercraft Weighing FiveTons or More, Not Used Solely for Business Purposes; Boats or Watercraft Weighing Less Than Five Tons, Not Used Solely for Business Purposes); Boats or Watercraft Weighing Five Tons or More, Used for Business Purposes Only; Boats or Watercraft Weighing Less Than Five Tons, Used for Business Purposes Only; Privately Owned Camping Trailers, Privately Owned Travel Trailers and Privately Owned Motor Homes Used For Recreational Purposes Only; and One (1) Motor Vehicle Owned and Regularly Used by a Disabled Veteran, in the City of Hampton, Virginia for the Calendar Year Beginning January 1, 2016 and Ending December 31, 2016.

BUDGET ORDINANCES - FIRST AND FINAL READING

- 28. 15-0148** An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the Information Technology Fund for the Fiscal Year Beginning July 1, 2015 and Ending June 30, 2016.
- 29. 15-0149** An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the Hamptons Golf Course for the Fiscal Year Beginning July 1, 2015 and Ending June 30, 2016.
- 30. 15-0150** An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the Woodlands Golf Course for the Fiscal Year Beginning July 1, 2015 and Ending June 30, 2016.
- 31. 15-0151** An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the Economic Development Fund for the Fiscal Year Beginning July 1, 2015 and Ending June 30, 2016.

- 32. 15-0136** An Ordinance to Increase the Solid Waste User Fee for Fiscal Year Beginning July 1, 2015 and Ending June 30, 2016 Pursuant to Virginia Code Section 15.2-928(A)
- 33. 15-0125** Ordinance to Amend and Re-Enact Chapter 33.2 "Stormwater Management", of the Code of the City of Hampton, by Amending Article IV, Section 33.2-35 (c) to increase the Service Charge for Stormwater Billing, Pursuant to Virginia Code Section 15.2-2114, to Meet Federal Mandates to Reduce Pollution Into the Chesapeake Bay and Other Regional Waters
- 34. 15-0127** Ordinance to Amend and Reenact Chapter 37, of the Code of the City of Hampton "Taxation", (A) to Amend Article III, "Personal Property Taxes", Sec. 37-142 Entitled "Filing of Return Required" Pertaining to the Addition of Boats or Watercraft to the Filing Requirement for Personal Property Taxes Pursuant to Virginia Code Sections 58.1-3518, 58.1-3518.1 and 58.1-3916, and (B) to Add a New Article XV, Entitled "License Fees on Certain Boats Subject to Personal Property Tax" to Impose a License Fee Levied on Such Boats Pursuant to Virginia Code Section 15.2-1125.

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

MISCELLANEOUS NEW BUSINESS

PUBLIC COMMENT

ADJOURNMENT

Contact Info:

Clerk of Council, 757-727-6315, council@hampton.gov